

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Original): A toner comprising:

a binder resin comprising a crystalline polyester and a non-crystalline resin;

a release agent; and

a black metal-containing material having a saturation magnetization not greater than 50 emu/g.

Claim 2 (Original): The toner according to Claim 1, wherein the black metal-containing material has a color such that L\*, a\* and b\* values of the color is not greater than 15, from -1.0 to 1.0 and from -1.0 to 1.0, respectively.

Claim 3 (Original): The toner according to Claim 1, wherein the black metal-containing material is a titanium-containing iron oxide.

Claim 4 (Original): The toner according to Claim 3, wherein the titanium-containing iron oxide includes titanium in an amount of from 10 to 45 % by weight based on iron atom included in the titanium-containing iron oxide.

Claim 5 (Original): The toner according to Claim 1, wherein the black metal-containing material has a specific surface area of from 1.5 to 30 m<sup>2</sup>/g.

Claim 6 (Original): The toner according to Claim 1, wherein the black metal-containing material has a true specific gravity of from 4.0 to 5.0.

Claim 7 (Original): The toner according to Claim 1, wherein the black metal-containing material is included in the toner in an amount of from 10 to 50 parts by weight per 100 parts by weight of the binder resin.

Claim 8 (Original): The toner according to Claim 1, wherein the toner has an X-ray diffraction spectrum such that at least one diffraction peak is observed at a Bragg ( $2\theta$ ) angle of from  $20^\circ$  to  $25^\circ$ .

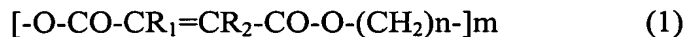
Claim 9 (Original): The toner according to Claim 1, wherein the non-crystalline resin comprises a polyester resin.

Claim 10 (Original): The toner according to Claim 1, wherein the crystalline polyester is included in an amount not greater than 50 % by weight based on the total weight of the binder resin.

Claim 11 (Original): The toner according to Claim 1, wherein the crystalline polyester has a melting point of from  $80$  to  $130^\circ\text{C}$ .

Claim 12 (Original): The toner according to Claim 1, wherein the crystalline polyester has an X-ray diffraction spectrum such that at least one diffraction peak is observed in each of Bragg ( $2\theta$ ) angle ranges of from  $19^\circ$  to  $20^\circ$ , from  $21^\circ$  to  $22^\circ$ , from  $23^\circ$  to  $25^\circ$  and from  $29^\circ$  to  $31^\circ$ .

Claim 13 (Original): The toner according to Claim 1, wherein the crystalline polyester has the following formula (1):



wherein n and m independently represents an integer; and R<sub>1</sub> and R<sub>2</sub> independently represent a hydrocarbon group.

Claim 14 (Original): The toner according to Claim 1, wherein the non-crystalline resin has a glass transition temperature of from 40 to 70°C, and an F1/2 temperature of from 120 to 160°C.

Claim 15 (Original): The toner according to Claim 1, wherein the release agent has a melting point of from 70 to 90°C.

Claim 16 (Original): The toner according to Claim 1, wherein the toner has a volume average particle diameter of from 2.5 to 10 µm.

Claim 17 (Original): A toner container containing the toner according to Claim 1.

Claim 18 (Original): A method for fixing an image of the toner according to Claim 1, comprising:

passing a support with the toner image thereon through a nip between two cylindrical rollers while applying a pressure not greater than  $1 \times 10^5$  Pa to the two cylindrical rollers, wherein one of the cylindrical rollers which contacts the toner image has a thickness not greater than 1.0 mm.

Claim 19 (Original): An developing method comprising:

developing an electrostatic latent image on an image bearing member with the toner according to Claim 1 to form a toner image on the image bearing member.

Claim 20 (Currently Amended): An image forming method comprising:

developing an electrostatic latent image on an image bearing member with the toner according to Claim 1 to form a toner image on the image bearing member;

transferring the toner image onto a receiving material optionally via an intermediate transfer member; and

fixing the toner image on the receiving material by ~~the method according to Claim 18~~  
passing a support with the toner image thereon through a nip between two cylindrical rollers while applying a pressure not greater than  $1 \times 10^5$  Pa to the two cylindrical rollers, wherein one of the cylindrical rollers which contacts the toner image has a thickness not greater than 1.0 mm.

Claim 21 (Original): A process cartridge for an image forming apparatus,  
comprising:

an image bearing member configured to bear an electrostatic latent image thereon;  
and

a developing device configured to develop the electrostatic latent image with a developer comprising a toner to form a toner image on the image bearing member,  
wherein the toner is the toner according to Claim 1.

Claim 22 (New): The toner according to Claim 1, including no carbon black.

Claim 23 (New): The toner according to Claim 1, wherein the crystalline polymer is present in an amount of no greater than 50% by weight based upon the total weight of the binder resin.

Claim 24 (New): The toner according to Claim 1, wherein the crystalline polyester is present in an amount of from 3 to 30% by weight based on the total weight of the binder resin.

Claim 25 (New): The toner according to Claim 1, wherein the crystalline polyester comprises reacted units of fumaric acid, 1,4-butanediol, and 1,6-hexanediol and the non-crystalline resin comprises reacted units of fumaric acid, terephthalic and trimellitic anhydride.

Claim 26 (New): The toner according to Claim 25, wherein the metal-containing material comprises Fe, Mn, Cu, and Ti.

Claim 27 (New): The toner according to Claim 1, wherein the crystalline polyester comprises reacted units of fumaric acid, succinic acid, ethylene glycol, and 1,6-hexanediol; the non-crystalline resin comprises reacted units of fumaric acid, terephthalic acid and trimellitic anhydride; and the metal-containing material comprises Fe and Ti.

Claim 28 (New): The toner according to Claim 1, wherein the black metal-containing material comprises an iron oxide and has a specific surface area of from 1.3 to 80 m<sup>2</sup>/g.

BASIS FOR THE AMENDMENT

Claims 1-28 are active in the present application. Claim 20 has been amended for matters of form. Claims 22-28 are new claims. Support for new Claim 22 is found on page 6, lines 12-13. Support for new Claims 23 and 24 is found in the paragraph bridging pages 21 and 22. Support for new Claims 25-27 is found in Examples 5 and 7. Support for new Claim 28 is found in original Claim 3 and on page 16 of the specification.

No new matter is added.